

## PATENT COOPERATION TREATY

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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference<br>P200101328 WO                                    | <b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |  |
| International application No.<br>PCT/EP02/02751   | International filing date (day/month/year)<br>11/03/2002  | Priority date (day/month/year)<br>11/03/2002 |
| International Patent Classification (IPC) or national classification and IPC<br>H04L29/06 |   |  |
| Applicant<br>TELEFONAKTIEBOLAGET L M ERICSSON (PUBL)                                      |   |  |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

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|---|--|
| Date of submission of the demand<br><br>18/09/2003  | Date of completion of this report<br><br>29.10.2003  |
| Name and mailing address of the International preliminary examining authority:<br> European Patent Office - P.B. 5818 Patentlaan 2<br>NL-2280 HV Rijswijk - Pays Bas<br>Tel. +31 70 340 - 2040 Tx: 31 651 epo nl<br>Fax: +31 70 340 - 3016 | Authorized officer<br><br>Kesting, V<br><br>Telephone No. +31 70 340 2741<br> |

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP02/02751

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):
- Description, pages:**

1-10 as originally filed

**Claims, No.:**

1-17 as originally filed

**Drawings, sheets:**

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1. Statement

|                               |      |        |      |
|-------------------------------|------|--------|------|
| Novelty (N)                   | Yes: | Claims | 1-17 |
|                               | No:  | Claims |      |
| Inventive step (IS)           | Yes: | Claims | 1-17 |
|                               | No:  | Claims |      |
| Industrial applicability (IA) | Yes: | Claims | 1-17 |
|                               | No:  | Claims |      |

2. Citations and explanations  
**see separate sheet**

Re Item V

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. **Claim 1 meets the requirements of novelty and inventive step, Art. 33(2) and (3).**
  - 1.1 **Document D1 = LU G: 'Issues and technologies for supporting multimedia communications over the Internet' [COMPUTER COMMUNICATIONS, ELSEVIER SCIENCE PUBLISHERS BV, AMSTERDAM, NL, vol. 23, no. 14-15, 30 August 2000, pages 1323-1335, ISSN: 0140-3664] discloses a method of coding data in a data package which is included in a data stream. The package contains information on a source of origin and a destination for the data package. The coding takes place in a coding system containing a plurality of coding algorithms. In the method, an identification system attaches information (*DS field*) to the data package which information is provided from said information on the source of origin of the data package and its destination.**
  - 1.2 **The technical problem to be solved is how to efficiently transport the data stream over a network, and the problem is solved by the coding system**
    - **utilizing said attached information to select one of said plurality of coding algorithms, and**
    - **coding said data according to the selected coding algorithm.**
  - 1.3 **Although D1 also deals with the problem and mentions filtering and media scaling in network nodes in a general manner, it does not hint at performing a coding using the above attached information (label, tag); according to D1,**
    - **the coding system only comprises the end system (e.g. a server);**
    - **the label when based on source and destination is however constructed in the network (at an ingress router), not in the end system;**
    - **the label is used for selectively dropping packets (graceful degradation) belonging to a plurality of enhancement layers.**

**I.e. even if the various enhancement layers were interpreted to correspond to different coding algorithms, D1 would not anticipate or suggest the coding of data based on the attached information, as defined in claim 1; instead, D1 proposes to drop already coded data based on the attached information (the**

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data having already been coded in the end systems).

- 1.4 Referring to the remaining prior art documents cited in the search report, **D2 = HOUGHTON T F ET AL: 'A PACKET TELEPHONY GATEWAY FOR PUBLIC NETWORK OPERATORS' [ISS '97. WORLD TELECOMMUNICATIONS CONGRESS. (INTERNATIONAL SWITCHING SYMPOSIUM). GLOBAL NETWORK EVOLUTION: CONVERGENCE OR COLLISION? TORONTO, SEPT. 21 - 26, 1997, ISS. WORLD TELECOMMUNICATIONS CONGRESS. (INTERNATIONAL SWITCHING SYMPOSIUM), TORONTO, P, vol. 2, 21 September 1997, pages 35-44]** and **D3 = WALLBAUM M ET AL: 'VOICE/DATA INTEGRATION IN WIRELESS COMMUNICATION NETWORKS' [VTC 1999-FALL. IEEE VTS 50TH. VEHICULAR TECHNOLOGY CONFERENCE. GATEWAY TO THE 21ST. CENTURY COMMUNICATIONS VILLAGE. AMSTERDAM, SEPT. 19 - 22, 1999, IEEE VEHICULAR TECHNOLOGY CONFERENCE, NEW YORK, NY: IEEE, US, vol. 5 CONF. 50, 19 September 1999, pages 2651-2655, ISBN: 0-7803-5436-2]** both propose multiple coders in a gateway but do also not disclose or hint at a tag-based selection of a coder.
2. **Claim 9** which is directed to a circuit for coding data corresponds, in terms of apparatus features, to method claim 1 and a similar line of thought applies. Consequently, claim 9 does also meet the requirements of novelty and inventive step, Art. 33(2) and (3).
3. The **dependent claims 2 - 8 and 10 - 17** add further features to the subject-matter of claims 1 and 9, respectively, and do therefore meet the requirements of novelty and inventive step as well.